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GOVERNMENT GAZETTE

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SUPPLEMENT

(SUPLEMENTO)

GOVERNMENT OF INDIA

MINISTRY OF PETROLEUM & CHEMICALS

(Department of Chemicals)

New Delhi, the 30th June, 1966

ORDER

S. O. 19th Whereas it is necessary to make drugs available to the general public at fair prices, the Central Government, in exercise of the powers conferred by sub-section (1), read with clauses (c) and (e) of sub-section (2), of section 3 of the Essential Commodities Act, 1955 (10 of 1955), hereby makes the following Order, namely:—

1. Short title and commencement. — (1) This Order may be called the Drugs Prices (Display and Control) Order, 1966.

(2) It shall come into force at once.

2. Definitions. — In this order, unless the context otherwise requires:—

(a) «dealer» means a person carrying on the business of purchase or sale of drugs, whether wholesale or retail and whether or not in conjunction with any other business and includes an agent of dealer;

(b) «drug» shall have the meaning assigned to it in clause (b) of section 3 of the Drugs and Cosmetics Act, 1940 (23 of 1940);

(c) «Inspector» shall have the meaning assigned to it in clause (e) of section 3 of the Drugs and Cosmetics Act, 1940 (23 of 1940);

(d) «retail price» means the price, including excise duty but exclusive of local taxes, for which a drug is sold by a dealer to a consumer;

(e) «retailer» means a dealer carrying on the business of sale of drugs to consumers;

(f) «wholesale price» means the price for which a drug is sold by a manufacturer, importer or distributor of that drug to a dealer.

3. Furnishing of price list by manufacturer, importer, distributor or dealer. — (1) Every manufacturer, importer or distributor of a drug intended for sale shall, at the time of sale of such drug to a dealer, furnish to him a price list showing the wholesale price and the retail price of that drug. The wholesale price and the retail price shown in the price list shall not, save with the approval of the Central Government, exceed the wholesale price and the retail price, as shown in the price list which is effective on the date of commencement of this order.

(2) Every dealer, other than a retailer, shall, at the time of sale of any drug to a retailer furnish to him a price list showing the wholesale price and the retail price of that drug fixed by the manufacturer, importer or distributor, as the case may be.

4. Retail price to be displayed on label of container. — Every manufacturer, importer or distributor of a drug intended for sale shall display in indelible print mark on the label of the container of the drug the retail price of that drug.

5. Price list to be displayed at place of business. — Every dealer shall display at a conspicuous part of the premises where he carries on his business the price list furnished to him by the manufacturer, im-

porter, distributor or another dealer, as the case may be, in a manner so as to be easily accessible for consultation by any consumer.

6. New Drugs not to be introduced for sale or included in price list without getting their prices approved by Central Government. — No manufacturer, importer or distributor of drugs shall introduce for sale or include in his price list any new drug, not included in the price lists published by him immediately before the enforcement of this Order, unless the price of such drug is approved in writing by the Central Government.

7. Control of prices of drugs. — The maximum price that may be charged by a manufacturer, importer or distributor for the sale of any drug to a dealer shall not exceed the wholesale price of that drug as shown in the price list furnished by him to the dealer and the maximum price that may be charged by a retailer from a consumer for the sale of any drug shall not exceed the retail price of that drug as shown in the aforesaid price list.

Provided that where the wholesale price or retail price of any drug is reduced by the manufacturer, importer or distributor after the furnishing of price list of such drug to any dealer the reduced price shall be deemed to be the wholesale price or retail price, as the case may be, for the purpose of this clause.

8. Sale of split quantities of drugs from bulk packing. — No dealer shall sell loose quantity of any drug drawn from a bulk packing of such drug at a price which exceeds the prorata price of such drug calculated on the basis of the price of the largest packing in which such drug is sold by the manufacturer plus ten per cent of such prorata price.

Provided that nothing in this clause shall apply to any drug compounded at the premises of the retailer.

9. Retailer not to refuse sale. — Subject to the provisions of the Drugs and Cosmetics Act, 1940 (23 of 1940) no dealer shall withhold from sale, or refuse to sell any drug to a consumer wanting to purchase such drug.

10. Powers of entry, search, seizure, etc. — (1) Any inspector may, with a view to securing compliance with this Order or to satisfy himself that this Order has been complied with: —

- (i) enter and search any place;
- (ii) seize any drug in respect of which he suspects that any provision of this Order has been, is being or is about to be contravened along with the containers, packages or coverings in which the drugs are found and thereafter take all measures necessary for securing production of the drug, containers, packages or coverings so seized in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure 1898 (5 of 1898) relating to search or seizure shall, so far as may be, apply to searches and seizures under this clause.

11. Repeal and saving. — The Drugs (Display of Prices) Order, 1962 and the Drugs (Control of Prices) Order, 1963 are hereby repealed:

Provided that anything done or any action taken under the orders hereby repealed shall be deemed to have been done or taken under the corresponding provisions of this Order.

No. 18 (13)/66-Ch. III

B. L. CHAK

Joint Secretary to the Government of India

GOVERNMENT OF GOA, DAMAN AND DIU

Secretariat

Finance Department

Notification

F.III/2-35/part/A/66

In exercise of the powers conferred by sub-section (1) of section 42 of the Goa, Daman and Diu Excise Duty Act, 1964, the Government hereby exempts the tapping of coconut trees for drawing toddy from the payment of so much of tree tax leviable thereon as is in excess of rupees five per annum, with effect from the 1st August, 1966 and until further orders.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. S. Srinivasagopalan, Dy. Secretary (Finance).

Panjim, 31st August, 1966.

Notification

FD/F.III/2-35/part/66

In exercise of the powers conferred by sub-section (1) of section 42 of the Goa, Daman and Diu Excise Duty Act, 1964, the Government is hereby pleased to exempt the payment of so much of excise duty that may be leviable as is in excess of 75% of the rate specified in the Schedule, on country liquor manufactured from toddy, with effect from the 1st August, 1966 and until further orders.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. S. Srinivasagopalan, Dy. Secretary (Finance).

Panjim, 31st August, 1966.

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